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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

9

Application Number

10/825,653

Filing Date

APRIL 16, 2004

First Named Inventor

GARTH SHOEMAKER

Art Unit

2609

Examiner Name

CHARLES C. FAN

Attorney Docket Number

198821-368252

**ENCLOSURES (Check all that apply)**☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/  
Incomplete Application☐Reply to Missing Parts  
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a  
Provisional Application☐Power of Attorney, Revocation  
Change of Correspondence Address☐

Terminal Disclaimer

☐

Request for Refund

☐

CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD

Remarks

☐

After Allowance Communication to TC

☒Appeal Communication to Board  
of Appeals and Interferences☒Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☒Other Enclosure(s) (please identify  
below):PRE-APPEAL BRIEF REQUEST FOR  
REVIEW**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name

MCCARTHY TETRAULT LLP (CUST. NO. 27,155)

Signature



Printed name

JOSEPH CONNEELY

Date

JUNE 19, 2008

Reg. No.

54,883

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